

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

MAR 23 1990

Date of filing in State Engineer's Office _____

Returned to applicant for correction _____

JUN 5 1990

Corrected application filed _____ Map filed _____

The applicant Robert & Muriel Browne

12540 Thomas Creek Rd. of Reno

Street and No. or P.O. Box No.

City or Town

Nevada 89511 hereby make application for permission to change the

State and Zip Code No.

place of use of a portion _____

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee-Carson Irrigation District No. 1059-5 United

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

States of America v. Orr Water Ditch Co. in Equity No. A.3 Claim No. 3
Identify right in Decree.

1. The source of water is Truckee River

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 32.81 Ac. Ft.

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Derby Dam being within the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 19,

Describe as being within a 40-acre subdivision of public survey and by course and

Township 20 North, Range 23 East, M.D.B.&M.

distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within no change

If point of diversion is not changed, do not answer.

7. Proposed place of use All in Sec. 20, T. 20 N., R. 25 E., M.D.B. & M; 7.29 Ac. in the NW $\frac{1}{4}$ -

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated:

NW $\frac{1}{4}$.

8. Existing place of use All in Sec. 20, T. 20 N., R. 25 E., M.D.B. & M; 2.07 Ac in NW $\frac{1}{4}$ -NW $\frac{1}{4}$; 5.22

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

Ac. in the SW $\frac{1}{4}$ -NW $\frac{1}{4}$.

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from as decreed to _____ of each year.

Month and Day

Month and Day

10. Use was permitted from as decreed to _____ of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) dam, canal & ditches

State manner in which water is to be diverted, i.e. diversion structure.

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works complete

13. Estimated time required to construct works complete

14. Estimated time required to complete the application of water to beneficial use..... 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be delivered to the proposed place of use via the Truckee Canal

/s/Barry Fitzpatrick
By 141 Industrial
Fallon, NV 89406

Compared..... bp/mv ab/se

Protested 6/25/90 by The Pyramid Lake Paiute Tribe of Indians
Pro. Overruled 1/30/92;
See Ruling #3868

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee River as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3868, dated January 30, 1992.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada in pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 8.5 ~~cubic feet per second~~ acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before..... September 16, 1995

Proof of completion of work shall be filed before..... October 16, 1995

Application of water to beneficial use shall be made on or before..... September 16, 1997

Proof of the application of water to beneficial use shall be filed on or before..... October 16, 1997

Map in support of proof of beneficial use shall be filed on or before..... October 16, 1997

Completion of work filed.....

Proof of beneficial use filed.....

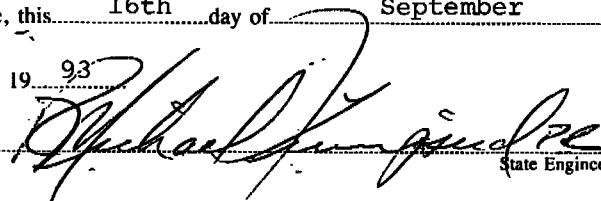
Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 16th day of September,

A.D. 19 93


State Engineer